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THE
CONFIDENTIAL LETTERS
// FROM
THOMAS JEFFERSON
TO
WILLIAM WIRT.
BEING
REMINISCENCES
OF
PATRICK HENRY.

Now for the first time printed in
full from the originals,

In the collection belonging to
John Gribbel of Philadelphia

PHILADELPHIA

Privately Printed

1912

*Of this work there has been printed for private distribution only,
5 copies on pure Vellum, and 10 copies on Whatman Paper.*

INTRODUCTION.

These letters first appeared in the Magazine issued by the Historical Society of Pennsylvania for October, 1910, and are now issued privately by the owner, Mr. John Gribbel, being copied *verbatim, et literatim et punctuatim*.

The first letter quoted was written by Hon. Wm. Wirt, the Biographer of Patrick Henry, to Thos. Jefferson, and the following letters quoted, were written by Thos. Jefferson in a confidential manner to the Hon. Wm. Wirt, complying with the request conveyed in Wirt's letter. In his letter Mr. Wirt promised that their correspondence should be strictly confidential, and says: "*I now give you on my honor, that any communications which you shall please to confide to me, shall be seen by no eyes but my own; and that they shall be returned to you as soon as I have used them.*" The letters now printed were for many years in the possession of a native of Virginia, who was not aware of their contents.

This series of Jefferson's letters really forms an outline Biography of this Great Patriot of the Revolution. In his first letter to Wirt, Jefferson says of Patrick Henry, "*were I to give his character, in general terms, it would be of mixed aspect,*" and in his letters he carries out fully this prophecy; as at the very first he says "*he was certainly the man who gave the first impulse to the ball of the revolution. 'I think he was the best humored man in society I almost ever knew and the greatest orator that ever lived; he had a consummate knowledge of the human heart, which directing the efforts of his eloquence enabled him to attain a degree of popularity with the people at large never perhaps equalled, his judgment on other matters was inaccurate, and in matters of law it was not worth a copper; he was avaritious and rotten hearted; his two great passions were the love of money and of fame; but when these came into competition the former predominated.*"

The casual reader has been lead to believe that Patrick Henry's maiden effort was at the time he delivered his famous and powerful address before the Virginia House of Burgesse on the Stamp Act, at which time he made the first actual resistance to the tyranny of George III, but Mr. Jefferson informs us that he made his first great effort a few years before when, as a member of the Virginia House of Representatives, he resisted successfully a Bill introduced in the House by Mr. Robinson, Treasurer, for the purpose of allowing him to loan the public funds on good landed security. It appears that Robinson had already loaned to friends the public monies to such an extent that he was on the verge of being detected, and introduced this bill with the hopes of transferring such security he had taken to the public account. Henry resisted this scheme with all his eloquence and defeated it. Henry at the time did not know of Robinson's dishonesty, but foresaw in the bill the danger to the public good. He carried with him all the members of the upper Counties; and left a minority composed merely of the Aristocracy of the country, who had borrowed the public monies from Robinson, and Robinson's deficit was not discovered until he died, about four years later. This therefore was the first manifestation of Mr. Henry's genius, and immediately placed him among the foremost statesmen of his time, to be soon followed by his great peroration in the Virginia House of Burgesse in May, 1765, when he astonished the whole Assembly with his boldness, and by his super-human eloquence induced them to denounce the enforcement of the Stamp Act in such language as to threaten a separation if Great Britain still persisted. He was opposed by all the older members, such as Randolph, Bland, Pendleton, Wythe and, in fact, all members whose influence in the house had until then been unbroken, but with his eloquent tongue he carried his bill successfully over this great opposition by a majority of one vote. At the time of its passage Mr. Peyton Randolph came out of the House and said as he entered the lobby, "*by God, I would have given 500 guineas for a single vote,*" for as this would

have divided the House, the vote of Robinson, the Speaker, would have rejected the resolution. Thus was Henry's reputation established according to the words of Jefferson as being "*the greatest orator that ever lived;*" and he who "*gave the first impulse to the ball of the revolution,*" and whose patriotism and pluck produced the *second Patrick Henry* in the person of *Samuel Adams of Massachusetts*.

Mr. Jefferson then gives in these letters a full account of Patrick Henry's failure to draw up the "*Address to the People of Great Britain and a Memorial to the People of British America,*" which duty had been assigned to him by the Continental Congress; and says that Henry "*could not draw a bill on the most simple subject which would have stood legal criticism or even the ordinary criticism which looks to correctness of stile & idea.*" Thus as we peruse the letters we find Jefferson placing Henry on a pinnacle of greatness, and then casting him down, and again elevating him only to denounce him later on.

In the course of this correspondence Mr. Jefferson reviews all the principal acts in the life of the great orator, stating how he started his career with little property and acting as a bar-keeper in the tavern at Hanover Court House. How he afterwards started a little store and failed, and then turned his attention to legal practice, after reading law for only six weeks. How he limited his practice to addressing juries, mostly in criminal cases, for which he received large fees. His failure as a military man. His career as a member of the Continental Congress, and as Governor of Virginia, &c.

He also reviews the manuscript of the Life of Patrick Henry, sent him by Wm. Wirt, and makes numerous corrections and interesting suggestions, one of particular interest referring to Mr. Henry's Military Career, in which he says: "*Why bring it into view at all? Mr. Henry's transcendant eminence as an Orator & Statesman and especially his unquestioned primacy in bringing on the revolution give him a mass of fame sufficient to satisfy any ambition, to claim for him questionable merits detracts more than it adds in the estimate of his character. Demosthenes*

like Henry was unquestioned as an Orator and Statesman, but doubted as a soldier."

That these letters are an unique and valuable contribution to the History of the American Revolution will be readily perceived by their perusal, and to the generosity of the owner, Mr. John Gribbel, of Philadelphia, must the thanks of the historical student be given for preserving in a definite manner their valuable contents.

STAN. V. HENKELS.

WIRT'S LETTER TO THOMAS JEFFERSON, ASKING HIM FOR
INFORMATION, AS TO THE CHARACTER OF PATRICK
HENRY AND HIS EMINENT ASSOCIATES.

WILLIAMSBURG, July 23, 1805.

DE SIR.

In this intermission of your public labours, I hope there may be nothing improper in begging the aid of your memory towards a little literary project which I have on foot. I am collecting memoirs of the late Patrick Henry. His life and example appear to me to afford some fine lessons. His faults as well as virtues will be instructive, and I propose to myself to be his biographer; not his panegyrist. I find much difficulty in collecting materials such as will enable me to render this work interesting. The materials which I collect are too general and jejune; there is nothing in them which brings me near to the character of Mr. Henry or which will enable me to bring my reader so.

After such repeated proofs of the perfidy and treachery of man, as you have experienced, I am almost afraid to ask or to hope that you will trust me with free communications concerning Mr. Henry.

From the very little indeed that you know of me; I feel considerable difficulty in making this request; but I know that you confide, justly, in your nephews Peter & Dabney Carr and to them I am intimately known. If you find their report of me such as I anticipate, you will believe the assurance which I now give you *on my honor*, that any communications which you shall be pleased to confide to me, shall be seen by no eyes, but my own, and that they shall be returned to you as soon as I have used them. I am peculiarly anxious on this subject because I know, from your thorough acquaintance with Mr. Henry, that information so minute, authentic and interesting as you could give would be alone sufficient to stamp the highest value on my work.

It would, I think, be a capital embellishment to the piece to paint, at least in the back ground, the groupe of eminent men with whom he acted. You knew them all, personally

and intimately, and would perhaps find it not too troublesome to favor me with a short character of each of them—his competitors at the bar, in the Virginia house of burgesses & in the old congress.

I experience much solicitude in sending this letter to you. I would not for any consideration that you should think me either presumptuous or troublesome. Let me hope that you will not think me so. On the contrary, if it be at all disagreeable to you, either for the want of time or inclination, to grant this request, I beg that you will reject it, without a moment's regret. Such a circumstance could not, in any degree, diminish the profound and increasing respect & esteem, with which I am, Dear Sir,

Yr du. Serv.

WM. WIRT.

THOMAS JEFFERSON'S LETTER TO WILLIAM WIRT, ACCORDING
TO HIS REQUEST, TO FURNISH ANECDOTES, AND A GENERAL
RESUMÉ OF PATRICK HENRY'S PUBLIC LIFE, AND IN
WHICH HE PRONOUNCES HIM THE GREATEST
ORATOR THAT EVER LIVED.

MONTICELLO Aug. 4.

DEAR SIR

Your favor of July 24. has been duly received: and I feel every disposition to comply with your request respecting Mr Henry: but I fear to promise from a doubt whether my occupations would permit me the time requisite to recollect and commit to paper the facts respecting him which were within my own knowledge; as we had a very familiar intercourse for upwards of 20 years, & ran our course nearly together, during this our political principles being the same, we acted in perfect concert until the year 1781. I witnessed the part he bore in nearly all the great questions of that period, & perhaps could recollect some anecdotes not uninteresting. he was certainly the man who gave the first impulse to the ball of revolution. were I to give his character in general terms, it would be of mixed aspect. I think he was the best humored man in society I almost ever knew, and the greatest orator that ever lived. he had a consummate knowledge of the human heart, which directing the efforts of his eloquence enabled him to attain a degree of popularity with the people at large never perhaps equalled. his judgment in other matters was inaccurate; in matters of law it was not worth a copper: he was avaritious & rotten hearted. his two great passions were the love of money & of fame: but when these came in competition the former predominated. If the work you propose is not destined to come out speedily I will endeavor to recollect what may be of use to it. be assured I want the testimony of nobody as to the honorable use you would make of my communications. Accept my friendly salutations & assurances of sincere esteem & respect.

TH: JEFFERSON

Mr WIRT

THOMAS JEFFERSON'S ANECDOTAL REMINISCENCES OF
PATRICK HENRY.

My acquaintance with mr. Henry commenced in the winter of 1759-60. on my way to the college I passed the Christmas holidays at Col^o Dandridge's in Hanover, to whom mr Henry was a near neighbor. during the festivity of the season I met him in society every day, and we became well acquainted, altho' I was much his junior, being then in my 17th year, & he a married man. the spring following he came to Williamsburg to obtain a license as a lawyer, and he called on me at College, he told me he had been reading law only 6. weeks. two of the examiners however, Peyton & John Randolph, men of great facility of temper, signed his license with as much reluctance as their dispositions would permit them to shew. mr Wythe absolutely refused. Rob. C. Nicholas refused also at first, but, on repeated importunities & promises of future reading, he signed. these facts I had afterwards from the gentlemen themselves, the two Randolphs acknowledging he was very ignorant of law, but that they perceived him to be a young man of genius & did not doubt he would soon qualify himself.

He was, some time after, elected a representative of the county of Hanover, & brought himself into public notice on the following occasion which I think took place in 1762. or a year sooner or later. the gentlemen of this country had at that time become deeply involved in that state of indebtedness which has since ended in so general a crush of their fortunes. Robinson, the Speaker, was also Treasurer, an officer always chosen by the assembly. he was an excellent man, liberal, friendly, & rich. he had been drawn in to lend, on his own account, great sums of money to persons of this description, & especially those who were of the assembly. He used freely for this purpose the public money, confiding, for it's replacement, in his own means, & the securities he had taken on those loans. about this time however he became sensible that his deficit to the public was become so enormous as that a discovery must soon take

place, for as yet the public had no suspicion of it. he devised therefore, with his friends in the assembly, a plan for a public loan office to a certain amount, from which monies might be lent on public account, and on good landed security, to individuals. this was accordingly brought forward in the House of Burgesses, and had it succeeded, the debts due to Robinson on these loans would have been transferred to the public, & his deficit thus compleatly covered. this state of things however was not yet known: but mr Henry attacked the scheme, on other general grounds, in that style of bold, grand & overwhelming eloquence, for which he became so justly celebrated afterwards. he carried with him all the members of the upper counties, & left a minority composed merely of the aristocracy of the country. from this time his popularity swelled apace; & Robinson dying about 4 years after, his deficit was brought to light, & discovered the true object of the proposition.

The next great occasion on which he signalised himself was that which may be considered as the dawn of the revolution, in March 1774. the British parliament had passed resolutions preparatory to the levying a revenue on the Colonies by a Stamp tax. the Virginia assembly, at their next session, prepared & sent to England very elaborate representations addressed in separate forms to the King, Lords, & Commons, against the right to impose such taxes, the famous Stamp act was however passed in Jan. 1765. and in the session of the Virginia assembly of May following, mr Henry introduced the celebrated resolutions of that date. these were drawn by George Johnston, a lawyer of the Northern neck, a very able, logical & correct Speaker. mr Henry moved, & Johnston seconded these resolutions successively. they were opposed by Randolph, Bland, Pendleton, Nicholas, Wythe & all the old members whose influence in the house had, till then, been unbroken. they did it, not from any question of our rights, but on the ground that the same sentiments had been, at their preceding session, expressed in a more conciliatory form, to which the answers were not yet received. but torrents of sublime eloquence from mr Henry, backed by the solid reasoning of Johnston, prevailed. the last however, & strongest resolu-

tion was carried but by a single vote. the debate on it was most bloody. I was then but a student, & was listening at the door of the lobby (for as yet there was no gallery) when Peyton Randolph, after the vote, came out of the house, and said, as he entered the lobby, "by God, I would have given 500. guineas for a single vote." for as this would have divided the house, the vote of Robinson, the Speaker, would have rejected the resolution. mr Henry left town that evening, & the next morning before the meeting of the House, I saw Peter Randolph, then of the Council, but who had formerly been clerk to the house, for an hour or two at the Clerk's table, searching the old journals for a precedent of a resolution of the house, *erased*, while he was clerk, from the journals, by a subsequent order of the house. whether he found it, or not, I do not remember; but, when the house met, a motion was made & carried to erase that resolution: and, there being at that day but one printer, & he entirely under the control of the Governor, I do not know that this resolution ever appeared in print. I write this from memory: but the impression made on me, at the time, was such as to fix the facts indelibly in my mind.

I came into the legislature as a Burgess for the county of Albermarle in the winter of 1768.9. on the accession of L^d Botetourt to the government, and about 9 years after mr Henry had entered on the stage of public life. the exact conformity of our political opinions strengthened our friendship: and indeed the old leaders of the house being substantially firm, we had not after this any differences of opinion in the H of Burgesses, on matters of principle; tho' sometimes on matters of form. we were dissolved by L^d Botetourt at our first session, but all were re-elected. there being no division among us, occasions became very rare for any display of mr Henry's eloquence. in ordinary business he was a very inefficient member. he could not draw a bill on the most simple subject which would bear legal criticism. or even the ordinary criticism which looks to correctness of stile & idea: for indeed there was no accuracy of idea in his head. his imagination was copious, poetical, sublime; but vague also. he said the strongest things in the finest language, but without logic, without arrangement, desultorily. this ap-

peared eminently & in a mortifying degree in the first sessions of the first Congress, which met in Sep. 1774. mr Henry & Richard Henry Lee took at once the lead in that assembly, & by the high style of their eloquence, were, in the first days of the session, looked up to as *primi inter pares*. a Petition to the king, an Address to the people of Great Britain and a Memorial to the people of British America were agreed to be drawn. Lee, Henry & others were appointed for the first, Lee, Livingston & Jay for the two last. the splendor of their debut occasioned mr Henry to be designated by his committee to draw the petition to the king, with which they were charged; and mr Lee was charged with the Address to the people of England. the last was first reported. on reading it, every countenance fell & a dead silence ensued for many minutes. at length it was laid on the table for perusal & consideration till the next day, when first one member & then another arose, & paying some faint compliments to the composition, observed that there were still certain considerations, not expressed in it, which should properly find a place in it. at length mr Livingston (the Governor of New Jersey) a member of the Committee rose & observed that a friend of his had been sketching what he had thought might be proper for such an address, from which he thought some paragraphs might be advantageously introduced into the draught proposed: & he read an Address which mr Jay had prepared *de beneesse* as it were there was but one sentiment of admiration. the Address was recommitted for amendment, and mr Jay's draught reported & adopted with scarce an alteration. these facts were stated to me by mr. Pendleton & Col^o Harrison of our own delegation, except that Col^o Harrison ascribed the draught to Gov^r Livingston, & were afterwards confirmed to me by Gov^r Livingston, and I will presently mention an anecdote confirmative of them from mr Jay & R. H. Lee themselves.

Mr Henry's draught of a petition to the king was equally unsuccessful, & was recommitted for amendment. mr John Dickinson was added to the committee, & a new draught prepared by him was passed.

The occasion of my learning from mr Jay that he was the author of the Address to the people of Great Britain re-

quires explanation by a statement of some preceding circumstances. the 2^d session of the 1st Congress met on their own adjournment in May 1775. Peyton Randolph was their President. in the mean time L^d North's conciliatory propositions came over, to be laid by the Governors before their legislatures. L^d Dunmore accordingly called that of Virginia to meet in June. this obliged Peyton Randolph, as Speaker, to return. our other old members being at Congress, he pressed me to draw the answer to L^d North's propositions. I accordingly did so, & it passed with a little softening of some expressions for which the times were not yet ripe, & wire-drawing & weakening some others to satisfy individuals. I had been appointed to go on to Congress in place of Peyton Randolph, & proceeded immediately, charged with presenting this answer to Congress, as it was the first which had been given, and the tone of it was strong, the members were pleased with it, hoping it would have a good effect on the answers of the other states. a Committee which had been appointed to prepare a Declaration to be published by Gen^l Washington on his arrival at the army, having reported one, it was recommitted, & Dickinson & myself added to the Committee. on the adjournment of the house, happening to go out with Gov^r Livingston, one of the Committee, I expressed to him my hope he would draw the Declaration. he modestly excused himself, & expressed his wish that I would do it. but urging him with considerable importunity, he at length said "you & I, sir, are but new acquaintances; what can have excited so earnest a desire on your part that I should be the draughtsman? why, Sir. said I, I have been informed you drew the Address to the people of Great Britain; I think it the first composition in the English language, & therefore am anxious this declaration should be prepared by the same pen. he replied that I might have been misinformed on that subject." a few days after, being in conversation with R. H. Lee in Congress hall, a little before the meeting of the house, mr Jay observing us, came up, & taking R. H. Lee by a button of the coat, said to him pretty sternly, "I understand, Sir, that you informed this gentleman that the Address to the people of Great Britain, presented to the Committee by

me, was drawn by Governor Livingston?" the fact was that the Comm^{ee} having consisted of only Lee, Livingston who was father-in-law of Jay, & Jay himself, & Lee's draught having been rejected & Jay's approved so unequivocally, his suspicions naturally fell on Lee, as author of the report; & rather as they had daily much sparring in Congress, Lee being firm in the revolutionary measures, & Jay hanging heavily on their rear. I immediately stopped Mr Jay, & assured him that tho' I had indeed been so informed, it was not by Mr Lee, whom I had never heard utter a word on the subject.

I found Mr Henry to be a silent, & almost unmeddling member in Congress. on the original opening of that body, while general grievances were the topic, he was in his element, & captivated all with his bold & splendid eloquence. but as soon as they came to specific matters, to sober reasoning & solid argumentation, he had the good sense to perceive that his declamation, however excellent in it's proper place, had no weight at all in such an assembly as that, of cool-headed, reflecting, judicious men. he ceased therefore in a great measure to take any part in the business. he seemed indeed very tired of the place, & wonderfully relieved when, by appointment of the Virginia Convention to be Colonel of their 1st regiment, he was permitted to leave Congress about the last of July.

How he acquitted himself in his military command will be better known from others. he was relieved from this position again by being appointed Governor, on the first organization of the government. After my services as his successor in the same office, my appointment to Congress in 1783. mission to Europe in 84. & appointment in the new government in 89. kept us so far apart that I had no farther personal knowledge of him.

Mr Henry began his career with very little property. he acted, as I have understood, as bar-keeper in the tavern at Hanover C. H. for some time. he married very young; settled, I believe, at a place called the Roundabout in Louisa, got credit for some little store of merchandise, but very soon failed. from this he turned his views to the law, for the acquisition or practice of which however he was too lazy. whenever the courts were closed for the winter season, he would

make up a party of poor hunters of his neighborhood, would go off with them to the piney woods of Fluvanna, & pass weeks in hunting deer, of which he was passionately fond, sleeping under a tent, before a fire, wearing the same shirt the whole time, & covering all the dirt of his dress with a hunting shirt. he never undertook to draw pleadings, if he could avoid it, or to manage that part of a cause, & very unwillingly engaged but as an assistant, to speak in the cause, and the fee was an indispensable preliminary, observing to the applicant that he kept no accounts, never putting pen to paper, which was true. his powers over a jury were so irresistible, that he received great fees for his services, & had the reputation of being insatiable in money. after about 10. years practice in the County courts, he came to the General court, where however, being totally unqualified for any thing but mere jury causes, he devoted himself to these, & chiefly to the criminal business. from these poor devils, it was always understood that he squeezed exorbitant fees of 50. 100. & 200.£. from this source he made his great profits, and they were said to be great. his other business, exclusive of the criminal, would never, I am sure, pay the expenses of his attendance at the court. he now purchased from mr Lomax the valuable estate on the waters of Smith's river, to which he afterwards removed. the purchase was on long credit, & finally paid in depreciated paper, not worth oak leaves. about the close of the war he engaged in the Yazoo speculation, & bought up a great deal of depreciated paper at 2/ & 2/6 in the pound to pay for it. at the close of the war, many of us wished to re-open all accounts which had been paid in depreciated money; & have them settled by the scale of depreciation. but on this he frowned most indignantly; & knowing the general indisposition of the legislature, it was considered hopeless to attempt it with such an opponent at their head as Henry. I believe he never distinguished himself so much as on the similar question of British debts, in the case of Jones & Walker. he had exerted a degree of industry in that case totally foreign to his character, & not only seemed, but had made himself really learned on the subject. another of the great occasions on which he exhibited examples of eloquence, such as probably

had never been exceeded, was on the question of adopting the new constitution in 1788. to this he was most violently opposed, as is well known; &, after it's adoption, he continued hostile to it, expressing, more than any other man in the U. S. his thorough contempt & hatred of Gen^l Washington. from being the most violent of all anti-federalists however, he was brought over to the new constitution by his Yazoo speculation before mentioned. the Georgia legislature having declared that transaction fraudulent & void, the depreciated paper which he had bought up to pay for the Yazoo purchase was likely to remain on his hands worth nothing. but Hamilton's funding system came most opportunely to his relief, & suddenly raised his paper from 2/6 to 27/^s the pound. Hamilton became now his idol, and abandoning the republican advocates of the constitution, the federal government, on *federal* principles, became his political creed. Gen^l Washington flattered him by an appointment to a mission to Spain, which however he declined; and by proposing to him the office of Secretary of state, on the most earnest solicitation of Gen^l Henry Lee, who pledged himself that Henry should not accept it. for Gen^l Washington knew that he was entirely unqualified for it; & moreover that his self-esteem had never suffered him to act as second to any man on earth. I had this fact from information; but that of the mission to Spain is of my own knolege; because, after my retiring from the office of Secretary of State, Gen^l Washington passed on the papers to mr Henry through my hands. mr Henry's apostacy, sunk him to nothing, in the estimation of his country. he lost at once all that influence which federalism had hoped, by cajoling him, to transfer with him to itself, and a man who, through a long & active life, had been the idol of his country, beyond any one that ever lived; descended to the grave with less than it's indifference, and verified the saying of the philosopher, that no man must be called happy till he is dead.

THOMAS JEFFERSON'S LETTER, GIVING A HISTORY OF PATRICK
HENRY'S CELEBRATED RESOLUTION OF 1765 IN THE
VIRGINIA HOUSE OF BURGESS, AND CRITICISING
JUDGE MARSHALL AND BURKE, THE HISTORIAN,
FOR THEIR INCORRECT STATEMENTS OF THE
SAME.

MONTICELLO Aug. 14. 14.

DEAR SIR

I have been laying under contribution my memory, my private papers, the printed records, gazettes & pamphlets in my possession, to answer the enquiries of your letter of July 27. and I will give you the result as correctly as I can. I kept no copy of the paper I sent you on a former occasion, on the same subject, nor do I retain an exact recollection of it's contents; but if in that I stated the question on the loan office to have been in 1762. I did it with too slight attention to the date, altho' not to the fact. I have examined the journals of the House of Burgesses of 1760. 1. 2. in my possession, and find no trace of the proceeding in them. by those of 1764. I find that the famous Address to the King, and Memorials to the Houses of Lords & Commons, on the proposal of the stamp act, were of that date; and I know that mr Henry was not a member of the legislature when they were passed. I know also, because I was present, that Robinson, (who died in May 1766.) was in the chair on the question of the loan office. mr Henry then must have come in between these two epochs, and consequently in 1765. of this year I have no journals to refresh my memory. the first session was in May, and his first remarkable exhibition there was on the motion for the establishment of an office for lending money on mortgages of real property. I find in Royle's Virginia gazette of the 17th of that month, this proposition for the loan office brought forward, it's advantages detailed, and the plan explained; and it seems to have been done by a borrowing member, from the feeling with which the motives are expressed; and to have been preparatory to the intended motion. this was probably made immediately after that date, and certainly before the 30th

which was the date of mr Henry's famous resolutions. I had been intimate with mr Henry from the winter of 1759. 60. and felt an interest in what concerned him, & I can never forget a particular exclamation of his in the debate which electrified his hearers. it had been urged that from certain unhappy circumstances of the colony, men of substantial property had contracted debts, which, if exacted suddenly, must ruin them & their families, but with a little indulgence of time might be paid with ease. "what Sir," exclaimed mr Henry, in animadverting on this, "is it proposed then to reclaim the Spendthrift from his dissipation and extravagance, by filling his pockets with money?" these expressions are indelibly impressed on my memory. he laid open with so much energy the spirit of favoritism on which the proposition was founded, & the abuses to which it would lead, that it was crushed in it's birth. abortive motions are not always entered on the journals, or rather they are rarely entered. it is the modern introduction of Yeas and Nays which has given the means of placing a rejected motion on the journals: and it is likely that the Speaker, who, as Treasurer, was to be the loan officer, and had the direction of the journals, would chuse to omit an entry of the motion in this case. this accounts sufficiently for the absence of any trace of the motion on the journals. there was no suspicion then (as far at least as I knew) that Robinson had used the public money in private loans to his friends, and that the secret object of this scheme was to transfer those debtors to the public, and thus clear his accounts. I have diligently examined the names of the members on the journals of 1764. to see if any were still living to whose memory we might recur on this subject, but I find not a single one now remaining in life.

Of the parsons' cause I remember nothing remarkable. I was at school with mr Maury during the years 1758. & 1759. and often heard him inveigh against the iniquity of the act of 1758. called the two-penny act. in 1753 when that cause was decided in Hanover, I was a law-student in Williamsburg, and remember only that it was a subject of much conversation, and of great paper-controversy, in which Camm, & Col^d Bland were the principal champions.

The disputed election in which mr Henry made himself remarkable must have been that of Dandridge & Littlepage in 1764, of which however I recollect no particulars, altho' I was still a student in Williamsburg, & paid attention to what was passing in the legislature.

I proceed now to the Resolutions of 1765. the copies you inclose me and that inserted by judge Marshal in his history, and copied verbatim by Burke, are really embarassing by their differences. 1. that of the 4. resolutions taken from the records of the House is the genuine copy of what they passed, *as amended* by themselves, cannot be doubted. 2. that the copy which mr Henry left sealed up is a true copy of these 4 resolutions, *as reported* by the committee, there is no reason to doubt. 3. that judge Marshal's version of 3. of these resolutions (for he has omitted one altogether) is from an unauthentic source, is sufficiently proved by their great variation from the record in diction, altho equivalent in sentiment. but what are we to say of mr Henry's 5th and of Marshal's two last, which we may call the 6th and 7th resolutions? the 5th has clearly nothing to justify the debate and proceedings which one of them produced. but the 6th is of that character, and perfectly tallies with the idea impressed on my mind of that which was expunged. Judge Marshall tells us that two were disagreed to by the house, which may be true. I do not indeed recollect it, but I have no recollection to the contrary. my hypothesis then is this, that the two disagreed to were the 5th and 7th the 5th because merely tautologous of the 3^d & 4th and 7th because leading to individual persecution, for which no mind was then prepared: and that the 6th was the one passed by the House, by a majority of a single vote, & expunged from the Journals the next day. I was standing at the door of communication between the house and lobby during the debate and vote, & well remember that after the numbers on the division were told, and declared from the chair, Peyton Randolph (then Atty Gen^l) came out at the door where I was standing, and exclaimed "by god I would have given 100. Guineas for a single vote." for one vote would have divided the house, and Robinson was in the chair who he knew would have negatived the resolution.

mr Henry left town that evening, or the next morning; and Col^o Peter Randolph, then a member of the Council, came to the H. of Burgesses about ten oclock of the forenoon, and sat at the clerk's table till the house-bell rang, thumbing over the volumes of Journals to find a precedent of expunging a vote of the house, which he said had taken place while he was a member, or clerk of the house, I do not recollect which. I stood by him at the end of the table a considerable part of the time, looking on as he turned over the leaves; but I do not recollect whether he found the erasure. in the meantime some of the timid members, who had voted for the strongest resolution, had become alarmed, and as soon as the house met a motion was made and carried to expunge it from the journals. and here I will observe that Burke's statement of mr Henry's consenting to withdraw two resolutions, by way of compromise with his opponents is entirely erroneous. I suppose the original journal was among those destroyed by the British, or it's obliterated face might be appealed to. it is a pity this investigation was not made a few years sooner, when some of the members of the day were still living. I think enquiry should be made of Judge Marshal for the source from which he derived his copy of the Resolutions. this might throw light on the 6th and 7th which I verily believe and especially the 6th to be genuine in substance. On the whole I suppose the 4. resolutions which are on the record were past and retained by the House; that the 6th is that which was passed by a single vote and expunged, and the 5th & 7th the two which judge Marshal says were disagreed to. that mr Henry's copy then should not have stated all this is the remaining difficulty. this copy he probably sealed up long after the transaction; for it was long afterwards that these resolutions, instead of the Address & Memorials of the preceding year, were looked back to as the commencement of the legislative opposition. his own judgment may, at a later date, have approved of the rejection of the 6th and 7th altho' not of the 5th and he may have left & sealed up a copy, in his own handwriting, as approved by his ultimate judgment. this, to be sure, is conjecture, and may rightfully be rejected by any one to whom a more plausible

resolution may occur: and there I must leave it. the address of 1764, was drawn by Peyton Randolph. who drew the Memorial to the Lords. I do not recollect: but mr Wythe wrote that to the Commons, it was done with so much freedom, that, as he has told me himself, his colleagues of the Committee shrunk from it as wearing the aspect of treason, and smoothed its features to it's present form. he was indeed one of the very few (for I can barely speak of them in the plural number) of either character, who, from the commencement of the contest, hung our connection with Britain on its true hook, that of a common king. his unassuming character however, made him appear as a follower, while his sound judgment kept him in a line with the freest spirit. by these resolutions mr Henry took the lead out of the hands of those who had heretofore guided the proceedings of the House, that is to say, of Pendleton, Wythe, Bland, Randolph, Nicholas. these were honest and able men, had begun the opposition on the same grounds, but with a moderation more adapted to their age and experience. subsequent events, favored the bolder spirits of Henry, the Lees, Pages, Mason etc, with whom I went in all points. sensible however of the importance of unanimity among our constituents, altho' we often wished to have gone faster, we slackened our pace that our less ardent colleagues might keep up with us: and they, on their part, differing nothing from us in principle, quickened their gait somewhat beyond that which their prudence might of itself have advised, and thus consolidated the phalanx which breasted the power of Britain. by this harmony of the bold with the cautious, we advanced with our constituents in undivided mass, and with fewer examples of separation than perhaps existed in any other part of the Union.

I do not remember the topics of mr Henry's argument: but those of his opposers were that the same sentiments had been expressed in the Address and Memorials of the preceding session, to which an answer was expected and not yet received. I well remember the cry of treason, the pause of mr Henry, at the name of George the III^d and the presence of mind with which he closed his sentence, and baffled the charge vociferated. I do not think he took the position in

the middle of the floor which you mention, on the contrary I think I recollect him standing in the very place which he continued afterwards habitually to occupy in the house.

The censure of mr. E. Randolph on mr Henry in the case of Philips was without foundation. I remember the case, and took my part in it. Philips was a mere robber, who availing himself of the troubles of the times, collected a banditti, retired to the Dismal swamp, and from thence sallied forth, plundering and maltreating the neighboring inhabitants, and covering himself, without authority, under the name of a British subject, mr Henry, then Governor, communicated the case to me. we both thought the best proceeding would be by bill of attainder, unless he delivered himself up for trial within a given time. Philips was afterwards taken; and mr Randolph being Attorney Gen^l and apprehending he would plead that he was a British subject, taken in arms, in support of his lawful sovereign, and as a prisoner of war entitled to the protection of the law of nations, he thought the safest proceeding would be to indict him at Common law as a felon & robber. against this I believe Philips urged the same plea; but was overruled and found guilty.

I recollect nothing of a doubt on the re-eligibility of mr Henry to the government, when his term expired, in 1779. nor can I conceive on what ground such a doubt could have been entertained; unless perhaps that his first election in June 1776, having been before we were nationally declared independent, some might suppose it should not be reckoned as one of the three constitutional elections.

Of the projects for appointing a Dictator there are said to have been two. I know nothing of either but by hearsay. the 1st was in Williamsburg in Dec. 1776. the assembly had, the month before, appointed mr Wythe, mr Pendleton, George Mason, Thomas L. Lee and myself to revise the whole body of laws, & adapt them to our new form of government. I left the House early in December to prepare to join the Committee at Fredericksburg, the place of our first meeting. what passed therefore in the House in December, I know not, and have not the journals of that session to look into. the 2^d proposition was in June 81. at the Staunton session of the legislature. no trace of this last

motion is entered on the journals of that date, which I have examined. this is a further proof that the silence of journals is no evidence against the fact of an abortive motion, among the names of the members found on the journal of the Stannton session, are John Taylor or Caroline, Gen^l Andrew Moore, and Gen^l Edward Steevens of Culpeper now living. it would be well to ask information from each of them, that their errors of memory, or of feeling may be corrected by collation.

You ask if I would have any objection to be quoted as to the fact of rescinding the last of mr Henry's resolutions. none at all as to that fact, or it's having been passed by a majority of one vote only; the scene being as present to my mind as that in which I am now writing. but I do not affirm, altho' I believe it was the 6th resolution.

It is truly unfortunate that those engaged in public affairs so rarely make notes of transactions passing within their knolege. hence history becomes fable instead of fact. the great outlines may be true, but the incidents and colouring are according to the faith or fancy of the writer. had judge Marshal taken half of your pains in sifting & scrutinizing facts, he would not have given to the world, as true history, a false copy of a record under his eye. Burke again has copied him, and being a second writer on the spot, doubles the credit of the copy. when writers are so indifferent as to the correctness of facts the verification of which lies at their elbow, by what measure shall we estimate their relation of things distant, or of those given to us thro' the obliquities of their own vision? our records it is true, in the case under contemplation, were destroyed by the malice and Vandalism of the British military, perhaps of their government under whose orders they committed so much useless mischief, but printed copies remained as your examination has proved. those which were apocryphal then ought not to have been hazarded without examination. should you be able to ascertain the genuineness of the 6th and 7th resolutions, I would ask a line of information, to rectify or to confirm my own impressions respecting them. ever affectionately yours,

TH: JEFFERSON.

JEFFERSON'S REMARKS ON THE CASE OF JOSIAH PHILIPS.

MONTICELLO May 12. 15.

DEAR SIR

Among some queries you addressed to me some time ago, was one on the case of Josiah Philips, which happened early in the revolution. not aware that the propriety of the proceeding in that case had been questioned and reprehended, my answer was general on that query. an application from another quarter having informed me of the doubts which have been expressed on it, I have bestowed more reflection on it, and I send you an extract from my answer, by way of supplement to what I said to you on the subject. I was then thoroughly persuaded of the correctness of the proceeding, and am more and more convinced by reflection. if I am in error, it is an error of principle. I know of no substitute for the process of outlawry, so familiar to our law, or to it's kindred process by act of attainder, duly applied, which could have reached the case of Josiah Philips. one of these, or absolute impunity seems the only alternative. ever and affectionately

Your friend & servt.

WILLIAM WIRT ESQ.

TH: JEFFERSON

THOMAS JEFFERSON'S LETTER, IMPARTING FURTHER INFORMATION
ON PATRICK HENRY'S FAMOUS RESOLUTION OF 1765,
MAKING COMMENTS ON JOHN DICKINSON'S FARMER'S
LETTERS, AND GIVING ANECDOTES OF FAMOUS
MEN OF THE REVOLUTION.

MONTICELLO Aug. 5. 15.

DEAR SIR

Your favor of July 24. came to hand on the 31st and I will proceed to answer your enquiries, in the order they are presented, as far as I am able.

I have no doubt that the 5th of the Rhode island resolutions, of which you have sent me a copy, is exactly the one erased from our journals. the mr Lees, and especially Richard Henry, who was industrious, had a close correspondence, I know, with the two Adamses, & probably with others in that and the other Eastern states: and I think it was said at the time that copies were sent off by them to the Northward, the very evening of the day on which they were passed. I can readily enough believe these resolutions were written by mr Henry himself. they bear the stamp of his mind, strong without precision. that they were written by Johnson who seconded them, was only the rumor of the day, and very possibly unfounded. but how Edmund Randolph should have said they were written by William Fleming, and mr Henry should have written that he shewed them to William Fleming, is to me incomprehensible. there was no William Fleming then, but the judge now living, whom nobody will ever suspect of taking the lead in rebellion. I am certain he was not then a member, and I think was never a member until the revolution had made some progress. of this however he will inform us with candor & truth. his eldest brother John Fleming was a member, and a great speaker in debate. to him they may have been shewn. yet I should not have expected this, because he was extremely attached to Robinson, Peyton Randolph etc. and at their beck, and had no independence or boldness of mind. however he was attentive to his own popularity, might have been overruled by views to that, and, with a

correction of the Christian name, mr Henry's note is sufficient authority to suppose he took the popular side on that occasion. I remember nothing to the contrary. The opposers of the resolutions were Robinson, Peyton Randolph, Pendleton, Wythe, Bland and all the cyphers of the Aristocracy. no longer possessing the journals, I cannot recollect nominally the others. they opposed them on the ground that the same principles had been expressed in the Petition etc. of the preceding year, to which an answer, not yet received, was daily expected, that they were therein expressed in more conciliatory terms, and therefore more likely to have good effect. the resolutions were carried chiefly by the vote of the middle and upper country. to state the differences between the classes of society, and the lines of demarcation which separated them would be difficult. the law, you know, admitted none, except as to the twelve counsellors yet in a country insulated from the European world, insulated from its sister colonies with whom there was scarcely any intercourse, little visited by foreigners, & having little matter to act upon within itself, certain families had risen to splendor by wealth and the preservation of it from generation to generation under the law of entails; some had produced a series of men of talents; families in general had remained stationary on the grounds of their forefathers for there was no emigration to the Westward in those days, the wild Irish who had gotten possession of the valley between the blue ridge and North mountain, forming a barrier over which none ventured to leap, and would still less venture to settle among. in such a state of things, scarcely admitting any change of station, society would settle itself down into several strata, separated by no marked lines, but a shading off imperceptibly, from top to bottom, nothing disturbing the order of their repose. there were then, Aristocrats, halfbreeds, pretenders, a solid independent yeomanry, looking askance at those above, yet not venturing to jostle them; and last, and lowest a feculum of beings called Overseers, the most abject, degraded and unprincipled race, always cap in hand to the Dons who employed them, and furnishing materials for the exercise of their pride, insolence & spirit of domination. Your charac-

ters are inimitably & justly drawn. I am not certain if more might not be said of Col^o Richard Bland: he was the most learned & logical man of those who took prominent lead in public affairs, profound in Constitutional lore, a most ungraceful speaker (as were Peyton Randolph & Robinson in a remarkable degree) he wrote the first pamphlet on the nature of the connection with Gr. Britain, which had any pretension to accuracy of view on that subject; but it was a singular one. he would set out on sound principles, pursue them logically till he found them leading to the precipice which we had to leap, start back alarmed, then resume his ground, go over it in another direction, be led again by the correctness of his reasoning to the same place, and again back about, and try other proposals to reconcile right and wrong, but finally left his reader & himself bewildered between the steady index of the compass in their hand, and the phantasm to which it seemed to point. still there was more sound matter in his pamphlet than in the celebrated Farmer's letters, which were really but an ignis fatuus, misleading us from true principles.

Landon Carter's measure you may take from the 1st volume of the American Philosophical transactions, where he has one or more long papers on the weevil and perhaps other subjects. his speeches, like his writings were dull, rapid, verbose, egoistical, smooth as the lullaby of the nurse, and commanding, like that, the repose only of the hearer.

You ask if you may quote me 1. for the loan office, 2. Phillips's case, and 3. the addresses prepared for Congress by Henry and Lee—for the two first certainly, because within my own knolege, especially citing the record in Phillips's case which of itself refutes the diatribes published on that subject: but not for the addresses, because I was not present, nor know any thing relative to them but by hearsay from others. my first and principal information on that subject I know I had from Ben. Harrison, on his return from the first session of the old Congress. mr Pendleton also, I am tolerably certain, mentioned it to me: but the transaction is too distant, and my memory too indistinct to hazard as with

precision, even what I think I heard from them. in this decay of memory mr Edmund Randolph must have suffered at a much earlier period of life than myself. I cannot otherwise account for his saying to you that Rob. Carter Nicholas came into the legislature only on the death of Peyton Randolph, which was in 1776. seven years before that period I went first into the legislature myself, to wit in 1769 and mr Nicholas was then a member, and I think not a new one. I remember it from an impressive circumstance. it was the first assembly which met Lord Botetourt, being called on his arrival—on receiving the Governor's speech, it was usual to move resolutions, as heads for an Address. mr Pendleton asked me to draw the resolutions, which I did. they were accepted by the house, and Pendleton, Nicholas, myself and some others were appointed a Committee to prepare the Address. the Committee desired me to do it; but when presented, it was thought to pursue too strictly the diction of the resolutions, and that their subjects were not sufficiently amplified. mr Nicholas chiefly objected to it, and was desired by the committee to draw one more at large which he did, with amplification enough, and it was accepted—being a young man, as well as a young member, it made on me an impression proportioned to the sensibility of that time of life—on a similar occasion some years after I had reason to retain a remembrance of his presence while Peyton Randolph was still living. on the receipt of L^d North's propositions, in May or June 1775. Lord Dunmore called the assembly. Peyton Randolph, then President of Congress, and Speaker of the House of Burgesses, left the former body and came home to hold the assembly, leaving in Congress the other delegates, who were the antient leaders of our house. he therefore asked me to prepare the answer to L^d North's proposition, which I did. mr Nicholas, whose mind had as yet acquired no tone for that contest, combated the answer from Alpha to Omega, and succeeded in diluting it in one or two small instances. it was firmly supported however in committee of the whole by Peyton Randolph, who had brought with him the spirit of the body over which he had presided, and it was carried with very little alteration by strong majorities. I was the

bearer of it myself to Congress, by whom, as it was the first answer given to those propositions by any legislature, it was received with peculiar satisfaction. I am sure that from 1769, if not earlier, to 1775. you will find mr Nicholas's name constantly in the journals, for he was an active member. I think he represented James city county. whether, on the death of Peyton Randolph he succeeded him for Williamsburg, I do not know. if he did, it may account for mr Randolph's error.

You ask some account of mr Henry's mind, information & manners in 59-60 when I first became acquainted with him. we met at Nat. Dandridge's in Hanover, about the Christmas of that winter, and passed perhaps a fortnight together at the revelries of the neighborhood & season. his manners had something of the coarseness of the society he had frequented: his passion was fiddling, dancing & pleasantry. he excelled in the last, and it attached every one to him. the occasion perhaps, as much as his idle disposition, prevented his engaging in any conversation which might give the measure either of his mind or information. opportunity was not wanting: because mr John Campbell was there, who had married mrs Spotswood, the sister of Col^o Dandridge. he was a man of science, & often introduced conversations on scientific subjects. mr. Henry had a little before broke up his store, or rather it had broken him up, and within three months after he came to Williamsburg for his license, and told me, I think, he had read law not more than six weeks. I have by this time probably tired you with these old histories, and shall therefore only add the assurance of my great friendship & respect.

TH: JEFFERSON

THOMAS JEFFERSON'S LETTER, CORRECTING ERRORS IN THE
MANUSCRIPT OF WILLIAM WIRT'S LIFE OF
PATRICK HENRY.

MONTICELLO Sep. 4. 16.

DEAR SIR

I have read with great delight the portion of the history of mr Henry which you have been so kind as to favor me with, and which is now returned: and I can say from my own knolege of the cotemporary characters introduced into the canvás, that you have given them quite as much lustre as themselves would have asked. the exactness too of your details has in several instances corrected the errors in my own recollections where they had begun to falter. in result, I scarcely find any thing needing revisal. yet to shew you that I have scrupulously sought occasions of animadversion, I will particularize the following passages which I noted as I read them.

pa. 11. line 17. to bottom. I think this whole passage had better be moderated. that mr Henry read Livy thro' once, a year is a known impossibility with those who knew him. he may have read him *once*, and some general history of Greece; but certainly not twice. a first reading of a book he could accomplish sometimes, and on some subjects; but never a second. he knew well the geography of his own country, but certainly never made any other his study. so as to our ancient charters, he had probably read those in Stith's history. but no man ever more undervalued chartered titles than himself. he drew all natural rights from a purer source, the feelings of his own breast. he never, in conversation or debate, mentioned a hero, a worthy, or a fact in Greek or Roman history, but so vaguely & loosely as to leave room to back out, if he found he had blundered. the study and learning ascribed to him in this passage would be inconsistent with the excellent and just picture given of his indolence thro' the rest of the work.

pa. 27. l. 12. if the professor of the college was the writer of the pamphlet, his name was Graham, not Greeme. he was my master, & intimately known to me.

pa. 33. l. 4. enquire further into the fact alleged that Henry was counsel for Littlepage. I am much persuaded he was counsel for Dandridge. there was great personal antipathy between him and Littlepage, and the closest intimacy with Dandridge, who was his near neighbor, in whose house he was at home, & as one of the family, who was his earliest and greatest admirer and patron, and whose daughter became afterwards his second wife. it was in his house that during a course of Christmas festivities, I first became acquainted with mr Henry. this, it is true, is but presumptive evidence, and may be overruled by direct proof. but I am confident he could never have undertaken any case against Dandridge, considering the union of their bosoms, it would have been a great crime.

pa. 37. l. 13. & pa. 55. l. 6. from bottom. there was but one clear & sound bottom on which the separation of the chair and the treasury was decided. the legislature made all their levies of money payable into the hands of their speaker, over whom they had controul. the only hold the Gov' had on him was a negative on his appointment as Speaker at every new election, which. amounted consequently to a negative on him as treasurer and disposed him so far to be obsequious to the Governor.

pa. 57. l. 11. strike out Starke. he was nobody; a mere loungee at the bar, without business, without knolege, and without principle. John Blair is omitted here, one of the purest men then living, a well read lawyer, logical reasoner, & only kept down by his insuperable diffidence.

These are the only passages which I thought might be worthy of further enquiry; and are so unimportant as scarcely to be worth a defacement of the MS. by alteration. —I shall set out for Bedford on the 8th return a fortnight after to pass a week here, and shall then go back to Bedford to remain till the last of October. this knolege of my movements will enable you to give a proper direction to any further communications you may wish to make. accept the assurance of my constant friendship & respect.

TH: JEFFERSON

WILLIAM WIRT, Esq

THOMAS JEFFERSON'S LETTER TO WILLIAM WIRT, MAKING
IMPORTANT SUGGESTIONS AND CORRECTIONS IN THE TEXT
OF WIRT'S LIFE OF PATRICK HENRY, AND GIVING
HIS VIEWS OF HENRY'S MILITARY LIFE. ALSO
COMPLIMENTS WIRT ON THE CHARACTER
OF HIS BIOGRAPHY.

POPLAR FOREST Sep. 29, 16.

DEAR SIR

I found, on my arrival here the 2^d parcel of your sheets, which I have read with the same avidity and pleasure as the former. this proves they will experience no delay in my hands, and that I consider them as worthy every thing I can do for them. they need indeed but little, or rather I should say nothing. I have however hazarded some suggestions on a paper inclosed. when I read the former sheets, I did not consider the article of style as within my jurisdiction. however since you ask observations on that, and suggest doubts entertained by yourself on a particular quality of it, I will candidly say that I think some passages of the former sheets too flowery for the sober taste of history. it will please young readers in its present form, but to the older it would give more pleasure and confidence to have some exuberances lightly pruned. I say lightly; because your style is naturally rich and captivating, and would suffer if submitted to the rasp of a rude hand. a few excrescences may be rubbed off by a delicate touch: but better too little than too much correction. in the 2^d parcel of sheets, altho' read with an eye to your request, I have found nothing of this kind. I thus comply with your desire; but on the condition originally prescribed, that you shall consider my observations as mere suggestions, meant to recall the subject to a revision by yourself, and that no change be made in consequence of them but on the confirmed dictates of your own judgment. I have no amour-propre which will suffer by having hazarded a false criticism, on the contrary I should regret were the genuine character of your composition to be adulterated by any foreign ingredient. I return to Albemarle within a week, shall stay there 10 days, come back and pass

here October and part of November. I salute you affectionately.

TH. JEFFERSON

MR. WIRT

page 92. There is one circumstance in my letter here quoted which may not perhaps be exactly correct, to wit, whether Gov^r Livingston produced Jay's draught in the *House* of Congress, or in the Committee to which Lee's draught was recommitted? the latter seems most agreeable to usage; and lest I should have erred in this particular, I have so modified the quotation as to adapt it to either fact. this anecdote will probably draw on me the wrath of the family & friends of mr Lee, who are exceedingly jealous of the fame of their eminent relation. it will only add however a vouché à feu the more to the battery of obloquy which, reared in 94, has been incessantly directed on me, but without changing my course a single point. mr Jay's rude address to mr Lee in my presence, which I immediately diverted from him would have been a mortifying addition to the anecdote; but this does not belong to history.

pa. 92. Cap^t Foy was private Secretary to L^d Dunmore, lived with him in the palace, was believed to be the chief instigator of all his violences, and being very ill tempered, haughty & presumptuous, was very obnoxious.

pa. 110. Was not William Nelson still living? if he was, he was the President. I thought he retired to Hanover and died there some time after these transactions. his brother Thomas, the Secretary, succeeded as President only on his death, whenever that took place.

pa. 128. that mr Henry wanted personal courage was the very general belief of all his acquaintances, strengthened perhaps by inference from the fact that his brother William, and half brother Syme were notorious cowards. but I know nothing of the facts on which this opinion of mr Henry was founded; nor do I recollect having heard except a single one related to me by Gov^r Page, then a member of the Committee of safety. this was that while mr Henry's corps was encamped near Williamsburg, a nocturnal alarm took place, on a false report that the enemy had landed, I

believe, at Burwell's ferry: and were on their march to the city. mr Henry was so panic struck as to be incapable of giving an order, and the next in command was obliged to array the men, and take the necessary measures for defence the belief therefore that mr Henry was no souldier, which prevailed with the Committee of safety, and also with our own members of Congress, might justify them in not confiding to him the military destinies of the state. the same doubt occasioned a refusal of command solicited by Col^o Byrd, one of our highest citizens in rank & wealth, who had been Col^o of a regiment in the war of 1755. it is true indeed that mr Henry and mr Pendleton each, thought they saw in the character of the other something which they condemned; of which those who knew both more intimately than either did the other, acquitted both, and this distrust they never dissembled in their private conversations. they were always polite to each other, but nothing affectionate. possibly some of this grudge might have incorporated itself with mr Pendleton's judgments on the military merit of mr Henry: but since this trait in mr Henry's character has at least been believed, and no fact has been produced to prove it ill-founded (for his march to Williamsburg proved civil courage only, but not military, as he knew there was no enemy to meet him) why bring it into view at all? mr Henry's transcendent eminence as an Orator & Statesman, and especially his unquestioned primacy in bringing on the revolution give him a mass of fame sufficient to satisfy any ambition. to claim for him questionable merits detracts more than it adds in the estimate of his character. Demosthenes like Henry was unquestioned as an Orator & Statesman, but doubted as a soldier, but is it not found that, on the former ground alone the Graecian is placed as high as mortal man can be? the danger is that if this point be urged it may produce contradiction and proof, which would die away if not excited. I was as intimate, and more cordial with mr Henry in those days, than perhaps any other of those with whom he acted on the higher stage of affairs; and my settled opinion was this. When mr Henry found that the business of Congress had got into a regular train of action, in which he could no longer maintain his emi-

nence, it became his wish to withdraw; and the military command in Virginia, which was conferred on him while absent at Philadelphia, appeared to him as a god-send to justify his retirement from Congress. I accompanied him to Virginia on his return, which gave me some opportunity of estimating his views on the occasion. I did not observe that they were directed to military fame, or that he thought his appointment had put him into the line of splendid utility. indeed I doubted from his conversation, whether he meant to accept it. add to this that his mind was not formed for subordination, even to a Committee of safety, or a Convention, he became anxious therefore to withdraw from his military station, after it had served the purpose of procuring him a decent retreat from his Congressional one; and the question about rank furnished him plausible cause. of this he availed himself, and thus got back to that ground on which nature had formed him to command. he returned to our civil councils which were his natural element, and in which his eminence at once placed him at their head. this I did then, and do still verily believe was the train of views on which mr Henry acted. I think that he felt himself at home in civil affairs and soaring above all: but not at all so in military things: that he never had a wish or a thought of pursuing that career, in which there was already a crowd of Generals, who must forever be above him, and that his apparent resentment covered really a secret wish. mr Henry was not a man who, on a nice punctilio of honor, would have withdrawn from a post of his choice in a cause in which he was so ardent.

If this be a true view of the question between mr Pendleton & mr Henry, it would seem that all difficulty may be avoided by striking out the whole of what relates to this incident, and leaving it blank to bury the question as to both in oblivion. While this would leave in quiet the admirers of both parties, it would remove from the page of history an example of sacrificing so holy a cause, and at so early a period of it, to personal passions and interests: which it is distressing, in such a case, to suppose but on notorious fact.

pa. 137. Can this preamble be correctly copied from the

printed one? it is not grammar. my original draught did not run so, as may be seen if examined.

pa. 144. I think that Congress only authorized Gen^l Washington to extend military law (which always prevails within a camp & to gunshot distance beyond the line of centinels) to the distance of twenty miles around his camp. but I am not sure of this, and it ought to be enquired into; for it is not useful that examples should be strained to furnish precedents for so execrable a measure as the establishment of a dictator.

Of the anecdote of popular violence on the flag of the General assembly in 1769. I never before heard, nor can I believe it true. I was in Williamsburg during the 4 courts of Apr. June, Oct. & Dec. of that and of some years preceeding & subsequent, and also during the autumn session of the legislature of the same year, and do not remember to have heard a word of such an act of insurgency of our people; and had I ever heard it, I could not have forgotten so unique a fact. it would have been the first instance of actual riot, in our country below the mountains since Bacon's rebellion. the previous assemblages of people to ask their stamp masters to resign were entirely peaceable. in 1769 the people were yet entirely submissive to the laws, and would have been unquestionably punished for any daring breach of them.

WILLIAM WIRT'S LETTER TO THOMAS JEFFERSON IN REFERENCE TO MANUSCRIPT SENT HIM OF HIS LIFE OF
PATRICK HENRY.

RICHMOND. Oct. 2. 1816.

DEAR SIR

I sent you, about three or four weeks ago, a second, and by the last mail, a third parcel of my biographical M.S.—Not having heard of their arrival and having had frequent proofs of the irregularity of the mails, I am fearful that the packets have miscarried. I beg you to be assured that it is not with the most distant intention of hurrying you in the kind and obliging office you have undertaken for me, that I drop this note: but simply and sincerely to ascertain whether the parcels have arrived—because if they have not, I will have them immediately recopied and forwarded, and shall thus save time which w.^d be otherwise lost, on the supposition that they have miscarried.—So far indeed from hurrying you I feel myself much obliged by every hour of the time which you are so good as to devote to this little business and had much rather enlarge than contract your opportunity for remark.

Respectfully and affectionately yours

WM. WIRT

THOMAS JEFFERSON ESQ.

THOMAS JEFFERSON'S LETTER IN REFERENCE TO THE CASE OF
ONE PHILIPS, A TORY IN THE REVOLUTION, AND JUSTLY
CRITICISING EDMUND RANDOLPH AND PATRICK HENRY
FOR THEIR INCORRECT VERSION OF THE AFFAIR.

MONTICELLO Oct. 8. 16

DEAR SIR

I received your 3^d parcel of sheets just as I was leaving Poplar Forest, and have read them with the usual pleasure. they relate however to the period of time exactly, during which I was absent in Europe. consequently I am without knolege of the facts they state. indeed they are mostly new history to me. on the subject of style they are not liable to the doubts I hazarded on the 1st parcel, unless a short passage in page 198; should be thought too poetical. indeed as I read the 2^d & 3^d parcels with attentions to style and found them not subject to the observations I made on the first, (which were from memory only, & after I had parted with them) I have suspected that revisal might have corrected my opinion on the 1st of this however you will judge. one only fact in the last sheets was within my knolege, that relating to Philips, and on this I had formerly given you explanations. I am very glad indeed that you have examined the records, and established truth in this case. how mr Randolph could indulge himself in a statement of facts, so solemnly made, the falsehood of every article of which *had been* known to himself particularly; and how mr Henry could be silent under such a perversion of facts known to himself, agreed on at a consultation with members whom he invited to the palace to advise with on the occasion, and done at his request according to what was concluded, is perfectly unaccountable. not that I consider mr Randolph as mistating intentionally, or desiring to bolster an argument at the expence of an absent person: for there were no uncordial dispositions between him & myself; and as little do I impute to mr Henry any willingness to leave on my shoulders a charge which he could so easily have disproved. the fact must have been that they were both out of their heads on that occasion: still not the

less injuriously to me, whom mr Randolph might as well have named, as the journals shewed I was the first named of the Committee. would it be out of place for you to refer by a note to the countenance which judge Tucker has given to this misrepresentation, by making strictures on it, in his Blackstone, as if it were true? it is such a calumny on our revolutionary government as should be eradicated from history, and especially from that of this state, which justly prides itself on having gone thro' the revolution without a single example of capital punishment connected with that. ever affectionately yours

MR. WIRT

TH: JEFFERSON

THOMAS JEFFERSON'S LETTER TO WILLIAM WIRT, ADVISING
HIM TO PUBLISH HIS LIFE OF PATRICK HENRY, INTI-
MATING THAT THE MAGAZINES WILL CRITICISE IT,
AND COMPLIMENTING HIM ON THE ORIGINAL
STYLE OF ITS COMPOSITION AND PRAISING
THE WORK GENERALLY.

POPLAR FOREST NOV. 12. 16.

DEAR SIR

Yours of Oct. 23. was received here on the 31st with the last sheets of your work. they found me engaged in a business which could not be postponed and have therefore been detained longer than I wished. on the subject of our antient aristocracy, I believe I have said nothing which all who knew them will not confirm, and which their reasonable descendants may not learn from every quarter. it was the effect of the large accumulations of property under the law of entails. the suppression of entails reduced the spirit of the rich while the increased influence given by the new government to the people, raised theirs, and brought things to their present level from a condition which the present generation, who have not seen it can scarcely believe or conceive. I believe I have named none particularly: that would be wrong. you ask if I think your work would be the better of retrenchment? by no means; I have seen nothing in it which could be retrenched but to disadvantage: and again whether, as a friend, I would advise it's publication? on that question I have no hesitation, on your own account as well as that of the public. to the latter it will be valuable and honorable to yourself. you must expect to be criticised, and by a former letter I see you expect it. by the Quarterly reviewers you will be hacked and hewed by the tomahawk and scalping knife. those of Edinburgh, with the same anti-American prejudices, but sometimes considering us as allies against their administration, will do it more decently—they will assume as a model for biography the familiar manner of Plutarch, or scanty matter of Nepos, and try you perhaps by these tests. but they can only prove that

your style is different from theirs, not that it is not good. I have always very much despised the artificial canons of criticism. when I have read a work in prose or poetry, or seen a painting a statute etc. I have only asked myself whether it gives me pleasure, whether it is animating, interesting, attaching? if it is, it is good for these reasons. on these grounds you will be safe. those who take up your book will find they cannot lay it down, and this will be it's best criticism. You have certainly practised rigorously the precept of "de mortuis nil nisi bonum." this presents a very difficult question, whether one only, or both sides of the medal should be presented. it constitutes perhaps the distinction between panegyric and history. on this opinions are so much divided, and perhaps may be so on this feature of your work. on the whole however you have nothing to fear, at least if my views are not very different from the common, and no one will see it's appearance with more pleasure than myself, as no one can with more truth give you assurances of great respect & affectionate attachment.

TH: JEFFERSON

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